

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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RUBEN CHAVEZ,

Plaintiff,

**MEMORANDUM & ORDER**  
23-CV-2413 (EK) (PK)

-against-

Roosevelt Tropical, Corp. and  
Jaime Illescas,

Defendants.

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ERIC KOMITEE, United States District Judge:

The Court has received Magistrate Judge Kuo's Report and Recommendation (R&R) dated January 29, 2024. Judge Kuo recommends that the plaintiff's motion for default judgment be denied without prejudice. Neither party has filed objections and the time to do so has expired. Accordingly, the Court reviews Judge Kuo's recommendation for clear error on the face of the record. See Fed. R. Civ. P. 72(b) advisory committee's note to 1983 addition; accord *State Farm Mut. Auto. Ins. Co. v. Grafman*, 968 F. Supp. 2d 480, 481 (E.D.N.Y. 2013). Having reviewed the record, I find no clear error and therefore adopt

the R&R in its entirety. Thus, plaintiff's motion for default judgment is denied without prejudice.

SO ORDERED.

/s/ Eric Komitee  
ERIC KOMITEE  
United States District Judge

Dated: February 22, 2024  
Brooklyn, New York